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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 DAMON POWELL,

7 Plaintiff,

8 v.

9 STATE OF NEVADA, et al.,

10 Defendants.
11

Case No. 2:18-cv-02378-JAD-CWH

REPORT AND RECOMMENDATION

12 On December 19, 2018, the court entered an order denying plaintiff Damon Powell's
13 application to proceed *in forma pauperis*. (Order (ECF No. 3).) Plaintiff was ordered to pay the
14 \$400.00 filing fee within 30 days of the court's order. (*Id.*) Plaintiff's deadline to pay the
15 \$400.00 filing fee was January 18, 2019. To date, plaintiff has not paid the \$400.00 filing fee.
16 Thus, it appears plaintiff has abandoned this case.

17 IT IS THEREFORE RECOMMENDED that plaintiff's case be DISMISSED without
18 prejudice.

19 **NOTICE**

20 This report and recommendation is submitted to the United States district judge assigned
21 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation
22 may file a written objection supported by points and authorities within fourteen days of being
23 served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely
24 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d
25 1153, 1157 (9th Cir. 1991).

26 DATED: January 24, 2019

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28 
C.W. HOFFMAN, JR.
UNITED STATES MAGISTRATE JUDGE